

ENTERED

March 28, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

| | | |
|--|---|------------------------------|
| INTREPID SHIP MANAGEMENT, INC., | § | |
| <i>et al</i> , | § | |
| | § | |
| Plaintiffs, | § | |
| VS. | § | CIVIL ACTION NO. 3:12-CV-243 |
| | § | |
| PLANT RECOVERY COMPANY, <i>et al</i> , | § | |
| | § | |
| Defendants. | § | |

ORDER AND OPINION ON
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The Court has considered the Report and Recommendation by the United States Magistrate Judge John R. Froeschner (Dkt. 231).

Pending before Judge Froeschner were two Motions for Summary Judgment filed by Malin International Ship Repair & Drydock, Inc. ("Malin") (Dkt. 168, 169). On February 12, 2016, Judge Froeschner filed a Report and Recommendation, recommending that these motions for summary judgment be denied.

No objections have been filed to the Report and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

(1) Judge Froeschner's Report and Recommendation (Dkt. 231) is **APPROVED**

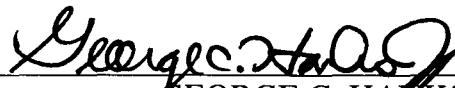
AND ADOPTED in its entirety as the holding of the Court; and

(2) Malin's motions for summary judgment Dkt. 168 and 169 are hereby

DENIED.

It is so **ORDERED.**

SIGNED at Galveston, Texas on March 28 2016.

A handwritten signature in black ink, appearing to read "George C. Hanks, Jr.", is written over a horizontal line.

GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE